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10/676,166	09/30/2003	Lorne C. Hinz	15997RRUS01U	6777

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EXAMINER	
PEREZ, JULIO R	

ART UNIT	PAPER NUMBER
2681	

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/676,166	HINZ, LORNE C.	
	Examiner	Art Unit	
	Julio R. Perez	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Mori et al. (hereinafter Mori) [6128485].

Regarding claim 1, Mori discloses a method in a telecommunications network for routing a call, comprising: receiving call set-up signals for a called party mobile station (col. 4, lines 29-65; col. 5, lines 25-47; col. 8, lines 4-17, 61-67; Figs. 4A-B, 16, 20); determining a last known location for the called party mobile station (col. 3, lines 45-53- col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36); determining whether a "do not disturb" feature is active for the called party mobile station (col. 3, lines 40-53; col. 4, lines 1-65; col. 5, lines 3-47, the incoming signal encounters that the personal station is in a prohibiting area, that is, the area is established to be in a time zone where incoming calls are prohibited) and whether a message should be delivered to a calling party mobile station prior to continuing to process the call (col. 4, lines 43-48) and whether the calling party mobile station has responded to the message in a manner indicating that the call should continue to be routed to the called party mobile station (col. 3, lines 40-53; col. 4, lines 49-65; col. 5, lines 25-47).

Regarding claim 2, Mori discloses wherein determining the last known location is performed by one of a Home Location Register (HLR) and a Visitors' Location Register (VLR) (col. 7, lines 38-50; col. 12, lines 29-36, the location data base, corresponding to home location database, reads out the location of every personal station).

Regarding claim 3, Mori discloses wherein one of the HLR and VLR determines a local time value for a last known location of the called party mobile station (col. 3, lines 40-53; col. 4, lines 49-65; col. 5, lines 25-47).

Regarding claim 4, Mori discloses wherein the step of determining whether the "do not disturb" feature is active for the called party mobile station includes determining whether the called party mobile station is a subscriber of the "do not disturb" feature and is performed by an MSC (col. 3, lines 40-53; col. 4, lines 1-65; col. 5, lines 3-47, the exchanger, MSC, detects the status of the personal station whether it is in a time zone, call-incoming prohibited area).

Regarding claim 5, Mori discloses a method in one of a Home Location Register / Visitors' Location Register, comprising: receiving call set-up signals for a called party mobile station (col. 4, lines 29-65; col. 5, lines 25-47; col. 8, lines 4-17, 61-67; Figs. 4A-B, 16, 20); determining a last known location for the called party mobile station (col. 7, lines 38-50; col. 12, lines 29-36, the location data base, corresponding to home location database, reads out the location of every personal station); determining a local time for the last known location for the called party mobile station (col. 3, lines 40-53; col. 4, lines 49-65; col. 5, lines 25-47, a time zone for a prohibited call-incoming area is indicated); and producing a local time corresponding to a last known location for the

calling party mobile switching center (col. 3, lines 45-53-col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36, a time zone for a prohibited call-incoming location, for inhibiting calls to the personal station, is indicated).

Regarding claim 6, Mori discloses further including examining a subscriber profile for the called party mobile station to determine a "do not disturb" time range and producing the "do not disturb" time range to the calling party MSC (col. 3, lines 40-53; col. 4, lines 1-65; col. 5, lines 3-47, the incoming signal encounters that the personal station is in a prohibiting area, that is, the area is established to be in a time zone where in-coming calls are prohibited).

Regarding claim 7, Mori discloses further including receiving and storing an indication from the called party mobile station that a "do not disturb" feature has been activated (col. 3, lines 54-67-col. 4, lines 1-8).

Regarding claim 8, Mori discloses further comprising providing an indication to the calling party MSC that the called party has activated the "do not disturb" feature (col. 3, lines 54-67-col. 4, lines 1-8) (col. 3, lines 54-67-col. 4, lines 1-8).

Regarding claim 9, Mori discloses a method in a home location register, comprising: receiving at least one of a country code, an area code or a cell phone number from a serving mobile switching center (MSC) for a user equipment terminal in a local time request signal (col. 9, lines 22-33, 56-67, -col. 10, lines 1-9, in order to authorize a receiving a cal the system counts with an integration system within itself that recognizes the caller subscriber phone MN; Moreover, it is inherent as evidenced by the fact that one of ordinary skill in the art would have recognized that mobile

telecommunications systems possess capabilities to read the phone number of a calling subscriber at the time of calling); determining a local time responsive to receiving the local time request signal (col. 3, lines 40-53; col. 4, lines 49-65; col. 5, lines 25-47, a time zone for a prohibited call-incoming area is indicated); and producing the local time to the MSC serving the user equipment terminal for delivery to the user equipment terminal (col. 3, lines 45-53-col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36, a time zone for a prohibited call-incoming location, for inhibiting calls to the personal station, is indicated).

Regarding claim 10, Mori discloses further including receiving a specified time value and determining a corresponding time value for one of the country code, area code or a last known location for a mobile station corresponding to the cell phone number (col. 2, lines 42-52; (col. 3, lines 45-53-col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36, a time zone for a prohibited call-incoming location is indicated).

Regarding claim 11, Mori discloses further including determining whether to deliver an SMS message or an NR message to the user equipment terminal (col. 4, lines 43-48).

Regarding claim 12, Mori discloses further including determining that the user equipment terminal is an SMS message-capable mobile station (col. 4, lines 43-48).

Regarding claim 13, Mori discloses wherein the message merely provides a time corresponding to the country code or area code (col. 3, lines 45-53-col. 4, lines 13-22, 43-48; col. 7, lines 38-54; col. 12, lines 29-36).

Regarding claim 14, Mori discloses further including receiving a location update request signal specifying a called party mobile station ID and determining, based upon a determined local time for a last known location of the called party mobile station; whether to route the call or whether to generate a message number corresponding to a message to be originated by a message delivery device for delivery to the calling party mobile station (col. 3, lines 40-53; col. 4, lines 13-65; col. 5, lines 25-47; col. 7, lines 38-54; col. 12, lines 29-36).

Regarding claim 15, Mori discloses further including determining whether a local time is to be provided to the calling party and, if so, providing a local time for the last known location of the called party mobile station to the calling party MSC (col. 3, lines 45-53-col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36, a time zone for a prohibited call-incoming location, for inhibiting calls to the personal station, is indicated).

Regarding claim 16, Mori discloses further including evaluating whether the called party has specified whether a local time is to be provided to the calling party (col. 3, lines 40-53; col. 4, lines 1-65; col. 5, lines 3-47, the exchanger, MSC, detects the status of the personal station whether it is in a time zone, call-incoming prohibited area).

Regarding claim 17, Mori discloses a Home/visitors' Location Register (HLR/VLR), comprising: a processor for executing computer instructions (col. 7, lines 28-67-col. 8, lines 1-19; figs. 1-3, include a database station to localize the movement of the mobile station and processing means to monitor the location of the same); a memory for storing the computer instructions wherein the computer instructions include: logic for performing routine home location register functions (col. 3, lines 54-67-col. 4,

lines 1-8); logic for retrieving time zone data from a database (col. 3, lines 45-53-col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36, a time zone for a prohibited call-incoming location, for inhibiting calls to the personal station, is indicated); logic for evaluating the retrieved time zone data (col. 3, lines 45-53-col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36, a time zone for a prohibited call-incoming location, for inhibiting calls to the personal station, is indicated); and logic for generating a message to an MSC corresponding to the retrieved time zone data (col. 3, lines 45-53-col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36, a time zone for a prohibited call-incoming location, for inhibiting calls to the personal station, is indicated).

Regarding claim 18, Mori discloses wherein the computer instructions further include logic for: receiving call setup signals for a called party mobile station (col. 4, lines 29-65; col. 5, lines 25-47; col. 8, lines 4-17, 61-67; Figs. 4A-B, 16, 20); examining a subscriber profile for the called party mobile station (col. 9, lines 22-33, 56-67, -col. 10, lines 1-9, in order to authorize a receiving a cal the system counts with an integration system within itself that recognizes the caller subscriber phone MN); determining a last known location for the called party mobile station (col. 3, lines 45-53-col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36); determining whether to deliver a message to a calling party mobile station to prompt the calling party mobile station to leave a message (col. 3, lines 40-53; col. 4, lines 49-65; col. 5, lines 25-47); receiving a calling party mobile station response by way of a mobile switching center (col. 9, lines 22-33, 56-67, -col. 10, lines 1-9); and storing a message or for routing the

call to the called party mobile station (col. 3, lines 40-53; col. 4, lines 49-65; col. 5, lines 25-47, the call is routed if the cal-incoming fro a subscriber is an urgent call).

Regarding claim 19, Mori discloses wherein the computer instructions further include logic for determining a local time for the called party mobile station (col. 3, lines 45-53-col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36, a time zone for a prohibited call-incoming location, for inhibiting calls to the personal station, is indicated).

Regarding claim 20, Mori discloses wherein the computer instructions further include logic for, based upon the local time for the called party mobile station and upon the called party mobile station's subscriber profile, that the call is not to be set up without first generating a specified message to the calling party mobile station (col. 3, lines 40-53; col. 4, lines 49-65; col. 5, lines 25-47).

Regarding claim 21, Mori discloses wherein the computer instructions further include logic for generating a message number and a message parameter to the MSC serving the calling party mobile station to enable the calling party mobile station's MSC to prompt one of a short message service server or an interactive voice response unit to generate a specified message (col. 3, lines 40-53; col. 4, lines 49-65; col. 5, lines 25-47).

Regarding claim 22, Mori discloses wherein the computer instructions further include logic for determining whether the calling party mobile station is SMS-message capable (col. 4, lines 43-48).

Regarding claim 23, Mori discloses a method in a mobile switching center (MSC), comprising: receiving call set-up signals for a call being established between a calling

party and a called party (col. 4, lines 29-65; col. 5, lines 25-47; col. 8, lines 4-17, 61-67; Figs. 4A-B, 16, 20); sending to a home location register one of a location update request signal to determine a serving MSC for the called party and a local time request signal (col. 3, lines 45-53-col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36); receiving a local time for one of a last known location for the called party, a country code or an area code signal (col. 9, lines 22-33, 56-67, -col. 10, lines 1-9, in order to authorize a receiving a cal the system counts with an integration system within itself that recognizes the caller subscriber phone MN; Moreover, it is inherent as evidenced by the fact that one of ordinary skill in the art would have recognized that mobile telecommunications systems possess capabilities to read the phone number of a calling subscriber at the time of calling); comparing the local time to a do not disturb time range (col. 3, lines 40-53; col. 4, lines 49-65; col. 5, lines 25-47, the call would go through if the subscriber is not within a time zone range of the call-incoming service area); generating a message number to a message delivery device to prompt the message delivery device to generate a message for the calling party (col. 3, lines 35-39; col. 4, lines 43-65) and; playing the message to the calling party (col. 4, lines 43-65).

Regarding claim 24, Mori discloses further including generating a message number to a message delivery device to prompt the message delivery device to generate a message for the calling party (col. 4, lines 43-65).

Regarding claim 25, Mori discloses further including routing the call after delivering the message (col. 3, lines 35-39; col. 4, lines 43-65).

Regarding claim 26, Mori discloses wherein the message delivery device is one of a short message service server or an interactive voice response unit (col. 4, lines 43-48).

Regarding claim 27, Mori discloses further including the step of determining whether a local time for the last known location of the called party is to be transmitted to the calling party col. 3, lines 45-53-col. 4, lines 13-22; col. 7, lines 38-54; col. 12, lines 29-36).

Regarding claim 28, Mori discloses wherein the determining step is based upon a subscriber profile indication (col. 9, lines 22-33, 56-67, -col. 10, lines 1-9, in order to authorize a receiving a cal the system counts with an integration system within itself that recognizes the caller subscriber phone MN; Moreover, it is inherent as evidenced by the fact that one of ordinary skill in the art would have recognized that mobile telecommunications systems possess capabilities to read the phone number of a calling subscriber at the time of calling).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio R. Perez whose telephone number is (571) 272-7846. The examiner can normally be reached on 7:00 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272- 4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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